



DEPARTMENT OF VETERANS AFFAIRS

8320-01

Disruption of Mail Service

AGENCY: Department of Veterans Affairs.

ACTION: Notice of exception to date of receipt.

SUMMARY: In late August 2017, Hurricane Harvey interrupted operations at the Department of Veterans Affairs (VA) regional office in Houston, Texas, as well as postal service in multiple Texas communities. In late September 2017, Hurricane Maria interrupted operations at the VA regional office in Puerto Rico, and postal service throughout the Puerto Rico and U.S. Virgin Islands area.

Correspondence containing claims, information, or evidence sent to VA during these periods was likely delayed due to interrupted operations of the regional office or postal service. VA aims to protect the interest of claimants who sent correspondence to the Veterans Benefits Administration (VBA) through the normal channels of communication during these periods and prevent them from possibly being deprived of benefits solely because those channels of communication were disrupted due to events outside of the claimants' control. Therefore, VA is instituting procedures to consider alternative dates as the date of receipt of correspondence.

FOR FURTHER INFORMATION CONTACT: Jonathan Hughes, Acting Assistant Director, Policy and Procedures, Compensation Service, Department of Veterans

Affairs, 810 Vermont Avenue, N.W., Washington, DC 20420, (202) 461-9700
(this is not a toll-free telephone number).

SUPPLEMENTARY INFORMATION: A VA regulation, 38 CFR 3.1(r), allows the Under Secretary for Benefits to establish exceptions to VA's rule about date of receipt of claims, information, or evidence. Ordinarily, "date of receipt" means the date on which a claim, information or evidence was received in a VA office. The regulation states that exceptions may be established when a natural or man-made interference with the normal channels through which VA ordinarily receives correspondence has resulted in one or more VA regional offices experiencing extended delays in receipt of claims, information or evidence to an extent that, if not addressed, the delay would adversely affect such claimants, through no fault of their own.

In late August 2017, Hurricane Harvey interrupted operations at the VA regional office in Houston, Texas, as well as postal service in multiple surrounding Texas communities. In late September 2017, Hurricane Maria interrupted operations at the VA regional office in Puerto Rico, as well as postal service in the Puerto Rico and U.S. Virgin Islands areas. Correspondence containing claims, information or evidence sent to VA during these periods was likely delayed due to interrupted operations of the regional office or postal service. Because regional offices and the mail system were impacted, VA established the following exceptions to the standard rule, on date of receipt.

Exceptions to Date of Receipt for Claimants Affected By Hurricane Harvey

VA hereby gives notice that, for purposes of determining the date of entitlement, any correspondence received by VA during the period September 1 through September 7, 2017, from individuals in zip codes designated to have been impacted by Hurricane Harvey that contained claims, information or evidence will be considered received no later than August 31, 2017.

Alternatively, if the correspondence was received during the period September 1 through September 7, 2017, but the postmark date is prior to August 31, 2017, the correspondence will be considered received on the date of postmark.

This guidance applies to correspondence received during the designated period from the zip codes designated below.

Zip Codes Impacted by Hurricane Harvey							
75928	77062	77252	77364	77467	77573	77950	78393
75930	77063	77253	77365	77468	77574	77951	78401
75931	77064	77254	77367	77469	77575	77954	78402
75932	77065	77255	77368	77470	77577	77957	78403
75933	77066	77256	77369	77471	77578	77960	78404
75934	77067	77257	77371	77473	77580	77961	78405
75936	77068	77258	77372	77474	77581	77962	78406
75938	77069	77259	77373	77475	77582	77963	78407
75939	77070	77261	77374	77476	77583	77964	78408
75942	77071	77262	77375	77477	77584	77967	78409
75948	77072	77263	77376	77478	77585	77968	78410
75951	77073	77265	77377	77479	77586	77969	78411
75956	77074	77266	77378	77480	77587	77970	78412
75959	77075	77267	77379	77481	77588	77971	78413
75960	77076	77268	77380	77482	77590	77973	78414
75966	77077	77269	77381	77483	77591	77974	78415
75968	77078	77270	77382	77484	77592	77975	78416
75977	77079	77271	77383	77485	77597	77976	78417
75979	77080	77272	77384	77486	77598	77977	78418
75990	77081	77273	77385	77487	77611	77978	78419
77001	77082	77274	77386	77488	77612	77979	78426
77002	77083	77275	77387	77489	77613	77982	78427
77003	77084	77277	77388	77491	77614	77983	78460

77004	77085	77279	77389	77492	77615	77984	78463
77005	77086	77280	77391	77493	77616	77986	78465
77006	77087	77282	77393	77494	77617	77987	78466
77007	77088	77284	77396	77496	77619	77988	78467
77008	77089	77287	77399	77497	77622	77989	78468
77009	77090	77288	77401	77498	77623	77990	78469
77010	77091	77289	77402	77501	77624	77991	78472
77011	77092	77290	77404	77502	77625	77993	78480
77012	77093	77291	77406	77503	77626	77994	78602
77013	77094	77292	77407	77504	77627	77995	78604
77014	77095	77293	77410	77505	77629	78102	78612
77015	77096	77297	77411	77506	77630	78104	78614
77016	77098	77299	77412	77507	77631	78107	78616
77017	77099	77301	77413	77508	77632	78111	78621
77018	77201	77302	77414	77510	77639	78113	78622
77019	77202	77303	77415	77511	77640	78116	78629
77020	77203	77304	77417	77512	77641	78117	78632
77021	77204	77305	77418	77514	77642	78118	78644
77022	77205	77306	77419	77515	77643	78119	78648
77023	77206	77315	77420	77516	77650	78122	78650
77024	77207	77316	77422	77517	77651	78125	78655
77025	77208	77318	77423	77518	77655	78140	78656
77026	77209	77320	77428	77519	77656	78141	78658
77027	77210	77325	77429	77520	77657	78142	78659
77028	77212	77326	77430	77521	77659	78144	78661
77029	77213	77327	77431	77522	77660	78145	78662
77030	77215	77328	77432	77523	77661	78146	78677
77031	77216	77331	77433	77530	77662	78151	78931
77032	77217	77332	77434	77531	77663	78159	78932
77033	77218	77333	77435	77532	77664	78162	78933
77034	77219	77334	77436	77533	77665	78164	78934
77035	77220	77335	77437	77534	77670	78330	78935
77036	77221	77336	77440	77535	77701	78335	78938
77037	77222	77337	77441	77536	77702	78336	78940
77038	77223	77338	77442	77538	77703	78339	78941
77039	77224	77339	77443	77539	77704	78340	78942
77040	77225	77340	77444	77541	77705	78343	78943
77041	77226	77341	77445	77542	77706	78347	78944
77042	77227	77342	77446	77545	77707	78351	78945
77043	77228	77343	77447	77546	77708	78352	78946
77044	77229	77344	77448	77547	77710	78358	78947
77045	77230	77345	77449	77549	77713	78359	78948
77046	77231	77346	77450	77550	77720	78362	78949
77047	77233	77347	77451	77551	77725	78363	78950
77048	77234	77348	77452	77552	77726	78364	78951

77049	77235	77349	77453	77553	77830	78368	78952
77050	77236	77350	77454	77554	77831	78370	78953
77051	77237	77351	77455	77555	77853	78373	78954
77052	77238	77353	77456	77560	77861	78374	78956
77053	77240	77354	77457	77561	77868	78377	78957
77054	77241	77355	77458	77562	77873	78379	78959
77055	77242	77356	77459	77563	77875	78380	78960
77056	77243	77357	77460	77564	77876	78381	78961
77057	77244	77358	77461	77565	77901	78382	78962
77058	77245	77359	77463	77566	77902	78387	78963
77059	77248	77360	77464	77568	77903	78389	
77060	77249	77362	77465	77571	77904	78390	
77061	77251	77363	77466	77572	77905	78391	

Exceptions to Date of Receipt for Claimants Affected By Hurricane Maria

VA hereby gives notice that, for purposes of determining the date of entitlement, any correspondence received by VA during the period October 1 through October 31, 2017, from claimants under the jurisdiction of the Puerto Rico Regional Office that contained claims, information or evidence will be considered received no later than September 30, 2017. Claimants under the jurisdiction of the Puerto Rico Regional Office include residents of Puerto Rico and the U.S. Virgin Islands, as well as those claimants receiving pension or survivor benefits who are in the geographic region covered by the Puerto Rico Regional Office, but serviced by the Philadelphia Pension Management Center. Alternatively, if the correspondence was received between October 1 and 31, 2017, and the postmark date is prior to September 30, 2017, the correspondence will be considered received on the date of postmark.

Signing Authority

The Secretary of Veterans Affairs, or designee, approved this document and authorized the undersigned to sign and submit the document to the Office of the Federal Register for publication electronically as an official document of the Department of Veterans Affairs. Jacquelyn Hayes-Byrd, Deputy Chief of Staff, Department of Veterans Affairs, approved this document on March 13, 2018, for publication.

Dated: March 29,, 2018

Jeffrey Martin
Impact Analyst
Office of Regulation Policy & Management
Office of the Secretary
Department of Veterans Affairs

[FR Doc. 2018-06766 Filed: 4/3/2018 8:45 am; Publication Date: 4/4/2018]